

RECORD OF DECISION
SAVANNAH HARBOR EXPANSION PROJECT
Georgia and South Carolina

1. I have reviewed the Savannah Harbor Expansion Project Feasibility Report and Tier 1 Final Environmental Impact Statement (FR/EIS) dated July 1998. These documents address the need for navigation improvements in Savannah Harbor, Georgia and South Carolina, and were initially prepared by the Georgia Ports Authority (GPA) under the authority of Section 203 of the Water Resources Development Act of 1986 (Public Law 99-662).

2. The harbor improvement would deepen the existing -42 feet Mean Low Water (MLW) deep-draft navigation channels a maximum of six feet to -48 feet MLW. This improvement would increase the efficiency of cargo movements by larger vessels. The improvement plan consists of the following features:

- Deepening the entrance channel to a depth of up to -50 feet MLW from its present terminus to Station -14B+000, to a depth of up to -48 feet MLW from Station -14B+000 to Station 0+000, and in the inner harbor to a depth of up to -48 feet MLW from Station 0+000 to Station 103+000;
- Extending the entrance channel oceanward until it meets the natural depth of -50 feet MLW;
- Widening bends in the entrance channel at 2 locations and in the inner harbor channel at 10 locations;
- Enlarging the Kings Island Turning Basin to a width of 1,676 feet;
- Raising the dikes up to 5.5 feet in upland Confined Disposal Facilities 12A, 14B and Jones/Oysterbed Island; and
- A mitigation plan which includes a cultural resources mitigation plan, a natural resources mitigation plan and an impact avoidance plan.

3. The improvement project would require dredging and subsequent placement of a maximum of up to 27 million cubic yards of sediments. Sediments excavated from the inner harbor would be deposited in Confined Disposal Facilities (CDFs) presently used by the existing federal navigation project. Dike raising would be performed to accommodate the sediments deposited in those CDFs and to replace storage capacity used by this improvement. Sediments excavated from the entrance channel would be deposited in the approved ocean dredged material disposal site. Further consideration of

nearshore and/or beach placement of excavated sediments would be made during the engineering and design phase of the project.

4. The environmental effects of two alternatives were considered; the No Action plan and a deepening of the navigation channel to a -50-foot MLW depth. Based upon the findings of the Tier I EIS, the No Action plan is considered to be the environmentally preferable alternative. Future increases in the tonnage of cargo moved through the port are expected due to increases in economic growth and domestic production within each of several countries that export or import cargo through Savannah Harbor. Growth in the size of vessels calling at the port is projected to occur in response to the trend toward larger vessel size in the world fleet. The proposed harbor deepening would allow the larger vessels to transport more cargo during each transit through the harbor, thereby reducing transportation costs for those cargoes. The EIS assessed the impacts expected to endangered species, fisheries, benthic communities, birds, marine mammals, water quality, cultural resources, historic properties, wetlands, and other environmental factors resulting from the two alternatives. After review of the comments received during the public review of the Draft EIS, deepening the navigation channel to -50 feet MLW was deleted and deepening of the channel up to a maximum authorized depth of -48 feet MLW was identified as the Selected Plan.

5. Means to avoid and/or minimize adverse impacts to environmental resources were analyzed and have been incorporated into the recommended plan. Where adverse impacts to natural resources could not be avoided, mitigation of significant adverse impacts was included. The natural resource mitigation and impact avoidance plan included in the Tier I EIS consists of the following components; details of the mitigation measures are found in the EIS:

- Purchase of 3,000 acres of freshwater wetlands to compensate for salinity increases to 1,170 acres of tidal freshwater wetlands;
- Creation of 81 acres of saltmarsh wetlands to compensate for loss of 40 acres of saltmarsh;
- A 3-year behavioral study of endangered shortnose sturgeon in the Savannah River estuary, and deepening of the Port Wentworth Turning Basin by 8 feet to provide more suitable habitat for the sturgeon;
- Measures to eliminate the potential project impacts on dissolved oxygen and chloride levels in the estuary; and
- To avoid impacts to striped bass, closure of the mouth of the Middle River at the confluence with Savannah/Front River, closure of two channels from Steamboat Cut to Middle River and opening of a new channel near New Cut from Middle River to Back River.

The mitigation plan in the Tier I EIS was designed to address decreased dissolved oxygen levels in the upper harbor, increased chloride levels at the city of Savannah's industrial water supply intake, potential impacts to the Savannah National Wildlife Refuge, tidal freshwater wetlands, tidal saltmarsh, striped bass spawning and nursery areas, endangered shortnose sturgeon habitat, water quality, contaminated sediments, and modifications to flow patterns in the estuary.

6. Cultural resource mitigation plans are included for the two sites listed on the National Register of Historic Places: Old Fort Jackson and the CSS Georgia. Old Fort Jackson is a brick fortification constructed for the War of 1812. A steel sheetpile wall would be constructed to protect the shoreline adjacent to the fort structure. The CSS Georgia is a Confederate ironclad that rests on the bottom of the river adjacent to the navigation channel. In recognition of the project's impacts on the vessel, a plan was developed and included as a project feature to recover, document, and curate the items of historic significance. A Programmatic Agreement was included in the EIS that describes how cultural and historic resources will be addressed from authorization of the project through its implementation. Execution of the Agreement is a feature of the project and will ensure its compliance with the Federal laws protecting these resources.

7. The Corps Washington level review determined that the proposed project was not formulated in accordance with applicable U.S. Army Corps of Engineers planning procedures and regulations and that an acceptable mitigation plan has not been determined. Analyses provided in the Tier I EIS only evaluated the potential impacts for a -50-foot MLW channel depth. Additional analyses must be performed to more completely identify and evaluate the potential impacts of alternative depths, develop an acceptable mitigation plan, and conclusively determine the NED plan and the cost sharing for the mitigation features. These include refinement of the hydrodynamic model and concurrence by the U.S. Army Corps of Engineers and the natural resource agencies in the model's ability to reasonably predict the impacts of the proposed project alternatives, including mitigation features. These additional studies will be performed during the engineering and design phase. The GPA plans to provide documentation, including a consensus mitigation plan developed through a Stakeholders Evaluation Group issue resolution process that could be used for the development of a Federal Tier II EIS. When the findings and conclusions of these additional evaluations are complete, a special report and Tier II environmental impact statement will be prepared and receive full public review. Review of the Tier II EIS and the engineering and design phase documents would serve as the basis for obtaining the required approvals, certifications, and permits, as appropriate, for any recommended channel improvement. Results from the Tier II EIS will be documented in a new Record of Decision.

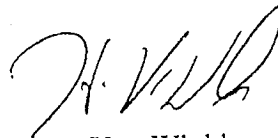
8. Section 101(b)(9) of Water Resources Development Act of 1999 (WRDA 99), Public Law 106-53 specified a number of conditions that must be met before a project can be constructed. Among those conditions is the successful completion of the NEPA process, including any necessary consultation under the Endangered Species Act, the Fish and Wildlife Coordination Act, and the Magnuson-Stevens Fishery Conservation and

Management Act, and the demonstration of compliance with these and other relevant environmental laws. Also, the Secretaries of the Army, Interior, and Commerce, and the Administrator of the Environmental Protection Agency must all approve the selected plan and determine that the associated mitigation plan adequately addresses the environmental impacts of the project before the project can be approved for construction.

9. Technical and economic criteria specified in the Water Resource Council's *Principles and Guidelines* were used in the formulation of alternative plans. I find that, although the project was not formulated in accordance with all applicable U.S. Army Corps of Engineers policies, procedures, and regulations, does not yet have the final EIS that will be necessary to initiate construction, and a fully developed, acceptable mitigation plan has not been identified, the conditions placed on the project by the Congress in Section 101 (b)(9) of WRDA 99 provide sufficient safeguards to ensure that implementation will not proceed until the Chief of Engineers determines it to be in accordance with all applicable U.S. Army Corps of Engineers policies, procedures, and regulations and that it includes an acceptable mitigation plan. Accordingly, I recommend implementation of the authorized project in accordance with the selected plan (a) as modified by Section 101 (b)(9) of WRDA 1999, including additional review by the Corps of Engineers and approval by the Chief of Engineers to ensure that construction of the project will comply with all applicable laws and policies, (b), according to the cost-sharing for mitigation features determined to be appropriate by the Chief of Engineers, and (c) as modified by any modifications as in the discretion of the Chief of Engineers may be advisable. This Record of Decision completes the National Environmental Policy Act compliance process for authorization of the project.

22 DEC 1999

Date



Hans A. Van Winkle
Major General, U.S. Army
Deputy Commander of Civil Works